

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

VANESSA EMENO,

Plaintiff,

v.

5:04-CV-1350

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

APPEARANCES:

OF COUNSEL:

OFFICE OF JONATHAN P. FOSTER  
407 South Main Street  
Athens, Pennsylvania 18810  
*Counsel for Plaintiff*

JONATHAN P. FOSTER, ESQ.

HON. GLENN T. SUDDABY  
United States Attorney for the  
Northern District of New York  
P.O. Box 7198  
100 South Clinton Street  
Syracuse, New York 13261-7198  
*Counsel for Defendant*

WILLIAM H. PEASE, ESQ.  
Assistant United States Attorney

NORMAN A. MORDUE, CHIEF JUDGE

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge George H. Lowe, duly filed on the 26<sup>th</sup> day of November 2007. Following ten days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

ORDERED, that:

1. The Report-Recommendation is hereby approved.
2. The Decision of the Commissioner is affirmed and the complaint (Dkt. No. 1) is dismissed.
3. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: December 11, 2007  
Syracuse, New York

A handwritten signature in black ink, appearing to read "Norman A. Mordue". The signature is fluid and cursive, with a large initial "N" and "M".

Norman A. Mordue  
Chief United States District Court Judge